

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 08.01.2016

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Crl.R.C.No.31 of 2016

&

Crl.M.P.No.199 of 2016

1.A.Selvaraj

2.S.Suresh Kumar

.. Petitioners

vs.

S.Padmini

.. Respondent

Criminal Revision filed under section 397 and 401 Cr.P.C. to set aside the order passed by the II Additional Principal Family Court Judge, Chennai dated 31.10.2015 in M.P.No.433 of 2014 in M.C.No.317 of 2014.

For Petitioner : Mr.J.C.Durairaj

O R D E R

This revision challenges the order passed by the II Additional Principal Judge, Family Court, Chennai dated 31.10.2015 in M.P.No.433 of 2014 in M.C.No.317 of 2014.

2. Learned counsel for the petitioner submits that as against the demand of the respondent/wife for one time settlement of Rs.9,00,000/-, the Court below has directed payment in a sum of Rs.5,000/- per month by way of interim maintenance. Learned counsel for the petitioner submits that the first petitioner is out of service and depends upon his son, the second petitioner, who again is a person who has suffered a fracture and hence, the petitioners would find it extremely difficult to effect payment as ordered.

3. On a perusal of the order under challenge, this Court is unable to find any error in the reasoning of the Court below. This Court is unable to accept the contention of learned counsel for the petitioner. This Court, however, takes note of the submission of the learned counsel for the petitioner that the matter may be disposed of expeditiously by the trial Court.

4. Accordingly, while dismissing this revision, this Court would direct the Court below to dispose of the maintenance case in M.C.No.317 of 2014 within a period of three months from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petition is closed.

-s/d-

Assistant Registrar(CSIII)
dt:12/01/2016

True Copy

Sub-Assistant Registrar

To

1. II Additional Principal Judge
Family Court, Chennai

2.The Public Prosecutor
High Court, Madras.

+2 ccs to Mr.J.C.Durairaj Advocate sr.1511

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